

**PART 1409**  
**OWNERSHIP, PARTNERSHIP, AND STABLE NAME**

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**Section 1409.5    Racing Colors**

Owners or trainers shall provide racing colors, which may be subject to the approval of the Board, except at racetracks where colors are furnished by the organization licensee. Racing colors shall be registered with the Racing Secretary. The Stewards may authorize a temporary substitution of racing colors when necessary. The racing colors to be worn by each jockey in a race shall be described in the program, and any change shall be announced to the public prior to the commencement of the race.

**Section 1409.20    Deviations**

Any deviation from the recorded colors of the owner or lessee must be approved by the stewards, and posted by the clerk of the scales on the notice board.

**Section 1409.30    Register Name of Real Owner and Lessee**

All horses shall be registered in the name of the real owner or owners and lessee or lessees with the racing secretary of the race track operator at which it is intended to race such horses. Before making registration, trainers shall learn the facts of ownership or leasehold interest of all horses registered by said trainer.

#### **Section 1409.40 Owner-Trainer Registrations**

If the registration is made by the trainer, the owner, trainer and lessee shall be bound by such registration.

#### **Section 1409.50 Change in Ownership**

Any change in ownership of a horse or horses or leasehold or interest therein shall be immediately made in Registration Book and additional affidavit filed if necessary.

#### **Section 1409.60 False Registration**

In the event of any false registration or false affidavit, the guilty parties shall be fined, suspended or ruled off, and the horse or horses involved suspended or ruled off.

#### **Section 1409.70 List of Changes**

The Registration Clerk shall furnish the stewards and the Board each day, a complete list of any changes in ownership, leasehold interest, or trainer of any horse or horses.

#### **Section 1409.80 Stable Names**

- a) A person wishing to race under a stable name may do so by registering and by paying the fee of \$50, the said registration being effective only during the calendar year.
- b) A person cannot register more than one stable name at the same time, nor can he use his real name so long as he has a registered one.
- c) A stable name may be changed at any time by registering a new stable name and paying the fee of \$50.
- d) A person cannot register as his stable name one which has already been registered by any other person or one which is the real name of any owner or lessee of race horses.
- e) Any person who has registered under a stable name may at any time abandon it after he has given written notice and the fact of the abandonment has been duly advertised.
- f) The stable name must be carried on the official program with the name of at least one owner or lessee. If stable name consists of more than one owner or lessee, the program will list the name of the owner or lessee along with the phrase "et al."

### **Section 1409.90 Registration of Stable Names**

All registration of stable names by The Jockey Club (New York), the National Steeplechase and Hunt Association, and the incorporated Canadian Racing Associations, shall be respected in Illinois, provided however, that the Board may at any time demand any one engaged in racing on the Illinois tracks to disclose his or her real name, the Illinois Racing Board being an agency for the registration of stable names.

### **Section 1409.100 Trainers' Use of Stable Names**

No trainer of race horses may register under a stable name as trainer, but may be owner or part owner of horses registered under such stable name.

### **Section 1409.110 Affidavit of Ownership**

Where an application is filed for a stable name or farm name, or nom de course which must have been properly registered, such application shall be accompanied by proper affidavit of ownership or leasehold interest as provided for under Sections 120, 180, and 185 of this Part.

### **Section 1409.120 Partnerships**

All partnerships must be registered and the name and address of every person having any interest in a horse, the relative proportions of such interests and the terms of any sale with contingencies, lease or other arrangement must be signed by all the parties or by their authorized agents and be lodged with the racing secretary, a copy of which shall be transmitted after the race meeting to the office of the Illinois Racing Board. All the partners and each of them shall be jointly and severally liable for all stakes and forfeits. All partners of a general partnership shall be licensed as owners. In the case of a limited partnership, all general partners and limited partners owning a 5% or more interest in the limited partnership shall be licensed as owners. These licensure requirements shall apply to all partnerships owning any interest in a horse. All non-licensed partners shall be eligible for licensure. Any non-licensed partner shall submit application materials sufficient for the Board to verify his status whenever the stewards have determined that it is more probable than not that such person is ineligible for licensure. Such materials shall consist of the name, social security number, fingerprints and other material required of an applicant for an owner's license. If any non-licensed partner is ineligible for licensure then each of the partners and the partnership shall be ineligible for licensure.

### **Section 1409.130 Corporations**

All corporations having an interest in a horse shall at the time of filing application for an owner's license statement file a in duplicate setting forth the names and addresses of all officers, directors, and stockholders of said corporation, together with the amount of the respective holdings of each stockholder and a statement as to whether or not said stock is paid in full, and including the designation of an authorized agent or agents of said corporation. The said statement shall be signed by the president of the corporation, attested to by its secretary, and the corporate seal attached. A copy of said statement shall be transmitted promptly to the office of the Illinois Racing Board by the state stewards. All

officers, directors and shareholders owning 5% or more of any class of stock of a corporation shall be licensed as owners. These licensure requirements shall apply to all corporations owning any interest in a horse. All non-licensed shareholders shall be eligible for licensure. Any non-licensed shareholder shall submit application materials sufficient for the Board to verify his status whenever the stewards have determined that it is more probable than not that such person is ineligible for licensure. Such materials shall consist of the name, social security number, fingerprints or other materials required for an applicant for an owner's license. If any non-licensed shareholder is ineligible for licensure then each of the shareholders and the corporation shall be ineligible for licensure.

#### **Section 1409.135 File Reports With Board**

Any corporation and all stockholders or members thereof which leases horses for racing purposes in the State of Illinois and shall file with the Board with the Board upon request a report or reports containing such information as the Board may specify upon refusal or failure to file such report or reports the Board may refuse a license to any lessee or lessees of such corporation and or may revoke any such license which it may have granted.

#### **Section 1409.138 Board May Waive Requirements**

Any of the above requirements maybe waived by the Board.

#### **Section 1409.140 Change in Officers**

Any transfer of stock of such corporation or change in the officers or directors thereof shall be reported in writing to the state stewards at the track where the corporation is racing horses within 48 hours of such change. The state stewards shall immediately transmit such information to the Illinois Racing Board.

#### **Section 1409.150 Entries, Declarations and Winnings**

All statements of sales and contingencies or arrangements, by partnerships, corporations, lessors or lessees shall declare to whom winnings are payable, in whose name the horse shall run and with whom rests the power of entry or declaration of forfeit. A copy of this information shall be transmitted to the Illinois Racing Board.

#### **Section 1409.160 Signature by Racing Secretary**

In cases of emergency, the authority to sign a declaration of partnership may be given to the racing secretary by a telegram promptly confirmed in writing.

#### **Section 1409.170 Consent of Partners**

The part owner of any horse cannot assign his share, or any part of it, without the written consent of the other partners. Said consent is to be filed with the racing secretary.

#### **Section 1409.180 Name All Owners**

If a stable name or nom de course is used, even though printed in the program with the personal name of the owner or owners, lessors or lessees or if a horse is actually owned or leased in whole or in part by any person other than the registered owner, or any lien or contingent interest in said horse is held by any other person or if the registered owner or owners, of any horse has or have borrowed money for the purchase or lease of said horse in whole or in part, or for the upkeep or maintenance thereof, an affidavit shall be filed at the time of such registration in duplicate. One copy shall be retained by the racing secretary of the track operator, and one shall be filed with the Board, on a printed form to be furnished by the Board. A registration so made at one track need not be repeated at succeeding tracks in the same racing season unless required by change in ownership. The racing secretary of the track operator shall, at the termination of its meeting, immediately forward all affidavits on file with him to the racing secretary of the succeeding meeting in the area or state.

#### **Section 1409.185 Corporation With Stable Name**

Nothing herein contained shall excuse a corporation which owns or leases a horse running under a stable name or nom de course from complying with the provisions Sections 1409.120 and 1409.130.

SOURCE: Published in Rules and Regulations of Horse Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10973; amended at 13 Ill. Reg. 1841, effective January 27, 1989; amended at 17 Ill. Reg. 12429, effective July 16, 1993; amended at 35 Ill. Reg. effective September 1, 2011.